

Applicant: Jeffrey George
Serial No.: 10/661,140
Group Art Unit: 3713

REMARKS

No new matter is added by this amendment. The present application was filed on September 12, 2003 with original claims 1-65. By this amendment claims 1, 33 and 34 have been amended and new claims 66 and 67 have been added. The claims remaining in consideration are claims 1-67. Reconsideration is respectfully requested.

The Examiner acknowledged Applicants' claim for priority under 35 USC §119(e) to US Provisional Patent Application 60/502,179, filed September 11, 2003. However, the Examiner erroneously determined that the present invention was not supported by the provisional application. This is respectfully traversed. Independent claims 1 and 33 have been amended to more clearly identify the subject matter, applicants regard as the invention.

The present invention sets forth a remote device and a method, by which player attendance at a predefined event, such as a marketing event, may be established remotely, and stored in a database located at a centralized host computer. This is clearly supported and fully supported throughout the '179 Provisional Patent Application and particularly on page 1060 thereof (a copy of which is provided for the Examiner's reference). Thereof, Applicants respectfully request Examiner's acknowledgement of the priority to the '179 provisional.

Claims 1-65 were provisionally rejected under the judicially created doctrine of obvious-type double patenting as being unpatentable over the claims of a series of commonly owned, copending applications. This provisional rejection is respectfully traversed.

As discussed above, independent claims 1 and 33 have been amended to more clearly identify the subject matter applicants regard as their invention. Specifically, the present invention relates to the use of a remote device for registering player attendance at a predetermined or predefined marketing event. All of the claims contained in the Examiner referenced copending applications, while referring to a remote device, do in fact, relate to providing other functionality using the remote device. As none of the other copending applications are related to establishing player attendance at a defined marketing event, applicants respectfully assert that the present claims are patentably distinct and request withdrawal of the obvious-type double patenting rejection.

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Claims 1-18, 29-49, and 61-65 were rejected under 35 USC §102(e) as being anticipated by US Patent 6,712,698 issued to Paulsen et al. Claims 19-28 and 50-59 were rejected under 35 USC §103(a) as being unpatentable over Paulsen. These rejections are respectfully traversed.

As discussed above, independent claim 1 sets forth a remote system for use with a gaming system for establishing attendance of a player at an event. The remote device receives identification information input by a user in response to the player being in attendance at the event. The attendance information is sent to a host computer and stored in a database over a remote network interface.

Independent 33 sets forth a method for establishing attendance of a player at an event. The method includes the steps of establishing player identification information at the remote device in response to the player being in attendance at the event and receiving the player identification information from the remote device at a host computer. The player's attendance is then stored in a database located at the host computer.

Paulsen discloses a game service interface for a player tracking touch screen display. The player tracking touch screen display is located on and attached to a gaming machine 90 and provides various "gaming services".

Paulsen does not disclose a remote device for establishing player attendance at a specific event, sending the player attendance information to a host computer and storing the player attendance information in a database. Since Paulsen does not include each and every limitation of independent claims 1 and 33, applicants respectfully assert that the 102(e) rejection of independent claims 1 and 33 is improper and request that it be withdrawn. Claims 2-18 and 29-32 and claims 34-49 and 61-65 are ultimately dependent upon claims 1 and 33, respectively. Claims 19-28 and 50-59 are ultimately dependent upon allowable claims 1 and 33, respectively. Therefore, for the reasons sets forth above, and based on their own merits, applicants respectfully assert that these claims are allowable over Paulsen and request that the rejections be withdrawn.

New claims 66 and 67 are dependent upon allowable claims 1 and 33 and require that the remote device be implemented in a handheld device. Applicants respectfully assert that these claims are also allowable.

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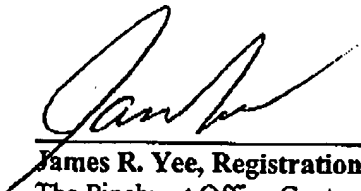
All of the Examiner's rejections and objections having been successfully traversed and/or made moot, applicants respectfully assert that the present application is now in condition for allowance. An early Notice of Allowance is solicited. If the Examiner believes that a telephone interview would be appropriate, please contact the undersigned at the number provided below.

Attached is Form PTO/SB/17 indicating the Commissioner is hereby authorized to charge the fee for two (2) additional dependent claims to Deposit Account 08-2789 in the name of Howard & Howard Attorneys, P.C.

Respectfully submitted

HOWARD & HOWARD ATTORNEYS, P.C.

March 17, 2005
Date



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Attachments:
Attendance Remote Network Interface sheet (1 page)
Form PTO/SB/17 (1 page)